

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

BRIAN FORD,

Plaintiff,

-against-

THE NEW YORK CITY BOARD OF
EDUCATION (a/k/a the Department of
Education) Carmen Farina in her official
capacity as Chancellor,

Defendants.

----- X

**DECLARATION OF ASSISTANT
CORPORATION COUNSEL
NICHOLAS GREEN IN
SUPPORT OF DEFENDANTS'
MOTION TO DISMISS THE
THIRD AMENDED
COMPLAINT**

No. 19 Civ. 6327 (JPC)(KHP)

NICHOLAS GREEN, pursuant to 28 U.S.C. § 1746, and subject to the penalty
of perjury, declares that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney for Defendants the Board of Education of the City School District of the City of New York ("BOE") (also known as and sued herein as the "The New York City Department of Education") and Carmen Farina. As such, I am familiar with the facts stated herein.

2. I submit this declaration in support of Defendants' motion to dismiss the Third Amended Complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure and it is based on the books and records maintained by the New York City Law Department and the BOE.

3. Annexed hereto as Exhibit “A” is a copy of Plaintiff’s July 5, 2019 Complaint.

4. Annexed hereto as Exhibit “B” is a copy of the Court’s November 6, 2019 Order.

5. Annexed hereto as Exhibit “C” is a copy of Plaintiff’s Third Amended Complaint.

6. Annexed hereto as Exhibit “D” is a copy of the November 5, 2020 First Department Decision in Plaintiff’s Article 75 Proceeding.

7. Annexed hereto as Exhibit “E” is a copy of the January 4, 2018 Opinion and Award in Plaintiff’s Education Law 3020-a proceeding.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 27, 2021

/s/ Nicholas Green

Nicholas Green
Assistant Corporation Counsel